

HOUSE BILL REPORT

ESHB 2053

As Passed House:
March 11, 2005

Title: An act relating to intermediate drivers' licenses.

Brief Description: Clarifying intermediate drivers' license law.

Sponsors: By House Committee on Transportation (originally sponsored by Representatives Hankins, Murray, Haler, Schual-Berke and Skinner).

Brief History:

Committee Activity:

Transportation: 3/2/05, 3/7/05 [DPS].

Floor Activity:

Passed House: 3/11/05, 93-0.

Brief Summary of Engrossed Substitute Bill

- Requires certification that the intermediate license holder and the parent, guardian, or employer of the intermediate license holder have read and understood the intermediate license restrictions.
- Broadens the definition of "immediate family."
- Only automobile accidents that are chargeable or in which the licensee was at fault are grounds for not lifting the intermediate license restrictions.
- Requires five years of experience for a supervising driver.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Murray, Chair; Wallace, Vice Chair; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton, Buck, Campbell, Curtis, Dickerson, Ericksen, Flannigan, Hankins, Hudgins, Jarrett, Kilmer, Lovick, Morris, Nixon, Rodne, Schindler, Sells, Shabro, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

Staff: David Munnecke (786-7315).

Background:

Washington's Intermediate Driver's License (IDL) law prohibits drivers who hold an IDL from carrying passengers under 20 years of age in their car for the first six months after issuance of the license, unless the passenger is an immediate family member. During the remaining period of the IDL (up to the age of 18), the driver may not carry more than three non-family member passengers under the age of 20.

Drivers who hold an intermediate license are also prohibited from driving between 1:00 a.m. and 5:00 a.m. unless a licensed driver 25 or older is also in the vehicle. Driving for agricultural purposes is an exception to the late night hours driving restriction.

Beginning with the issuance of the IDL and until the age of 18:

- If a driver commits a driving violation, or a violation of license restrictions, the driver is sent a warning letter by the Department of Licensing.
- If two driving violations are committed, a letter suspending the driver for six months (or until age 18, whichever is shorter) is sent to the driver.
- For a third driving violation, the driver is suspended until age 18.
- The driver's parents also receive a copy of any warning or suspension letter sent to the driver.

After a year of driving safely without a driving violation, offense, or collision, the driving restrictions expire and will not be reimposed. However, the driver is still subject to receiving the intermediate license warning letter and license suspension penalties until age 18. Driving with a suspended intermediate license is a misdemeanor.

Summary of Engrossed Substitute Bill:

Requires certification that the intermediate license holder and the parent, guardian, or employer of the intermediate license holder have read and understood the intermediate license restrictions.

Broadens the definition of "immediate family" to include the spouse, brother, sister, half brother, half sister, stepbrother, stepsister, or other person under 20 years old if living in the same household as the intermediate license holder.

Only automobile accidents that are chargeable or in which the licensee was at fault are grounds for not lifting the intermediate license restrictions 12 months after the issuance of the intermediate license.

Finally, a supervising driver must be 25 years of age and have five years of driving experience. There are no limitations on the numbers of passengers in a vehicle if a supervising driver is present.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on August 1, 2005.

Testimony For: (In support) This bill came out of a tragedy involving teen drivers. These drivers need to be controlled by their parents, and their parents need to know that they need to enforce the law in order to save lives. Currently, parents don't need to know about the intermediate driver's license restrictions. This puts parents at a disadvantage.

Kids need to be provided with a safe environment in which to learn. Crashes are currently the number one cause of death for teens, and there will be more teen drivers on the road in the future. Suspension of the intermediate driver's license should occur on the first offense, which is currently seen as a free pass.

The current intermediate driver's license law has its shortcomings, but it is effective. The Traffic Safety Commission sponsored this bill last year in order to make the law clearer. The bill was pulled because of fears that it would lead to more substantial changes. The restrictions on the number of passengers was changed because once there are three passengers in the vehicle the risk does not increase with more passengers. The changes to accidents was put in place because it is unfair to punish someone for an accident that is not their fault.

Testimony Against: (Opposed) The IDL law is working because it is one of the best in the country. Washington is the 14th best state in the nation in terms of the number of fatal accidents for 16 to 19 year old drivers. There is a much higher rate of fatal crashes for 21 year olds versus 25 year olds, so American Automobile Association is opposed to decreasing the age of supervising drivers.

Persons Testifying: (In support) Representative Hankins, prime sponsor; Lorraine and Dennis Damon; Steve Lind, Washington Traffic Safety Commission; and Ed Murrey and Edith Perez-Murrey.

(Opposed) Dave Overstreet, American Automobiles Association.

Persons Signed In To Testify But Not Testifying: None.